IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No.280 (M/B) of 2006

Vijay Tyagi S/o Sri O.D. Tyagi,
R/o 11/4 Shivam Bihar, Jokham, Dehradun

..... Petitioner

versus

1. State of Uttaranchal though Excise Commissioner, Govt. of Uttaranchal, Dehradun
2. District Excise Officer/ADM (Admn.) Dehradun

.....Respondents

Sri S.K. Mandal, learned counsel for the petitioner.
Learned Standing counsel for the respondents.

Hon'ble P.C. Verma, J.
Hon'ble B.C. Kandpal, J.

Dated: March 10, 2006

By means of this writ petition, the petitioner has prayed for writ of certiorari quashing the notification dated 06.03.2006 (Annexure No.5) issued by Respondent No.1 to the writ petition and further a writ of mandamus commanding and directing the respondents to renew the licence of the petitioner for the year 2006-07 situated at Sahastradhara Road, Dehradun.

2. By notification dated 06.03.2006, the Respondent No. 1 issued a notification by which he has invited the applications for issue of the fresh licence of all the liquor shops all over Uttaranchal for the year 2006-2007. The petitioner claimed that his renewal application is pending.

3. It is settled law that to permit to trade in liquor is a privilege of the State and nobody can claim a right over that. it is the privilege granted as licence to carry on the trade. Therefore, the petition cannot claim as a right for renewal of his licence.

4. For the reasons recorded above, the writ petition is devoid of merit and is dismissed in limine. No order as to costs.

(B.C. Kandpal, J.) **(P.C. Verma, J.)**

Rajeev Dang